

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

**FENNER INVESTMENTS, LTD.**

**v.**

**3COM CORP., et al.**

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**NO. 6:08-cv-61**

**ORDER**

Plaintiff Fenner Investments, Ltd. ("Plaintiff") notified the Court that it has entered into an executory settlement agreement with Defendant Enterasys Networks, Inc. ("Defendant"), the only remaining defendant in this case (Doc. No. 328). Plaintiff requests that the Court maintain this action administratively active pending performance of the settlement agreement. The Court **ORDERS** Defendant to apprise the Court of its position regarding this request by November 6, 2009.

**So ORDERED and SIGNED this 4th day of November, 2009.**

  
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JOHN D. LOVE  
UNITED STATES MAGISTRATE JUDGE